

Alexander Hernaez (SBN: 201441)
ahernaez@foxrothschild.com
Tiana Seymore (SBN: 299189)
tseymore@foxrothschild.com
FOX ROTHSCHILD LLP
345 California Street, Suite 2200
San Francisco, California 94104
Telephone: 415.364.5540
Facsimile: 415.391.4436

Attorneys for Non-Party SPACEX

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ AND ISELA HERNANDEZ.

Plaintiff,

v.
**PRECISION VALVE &
AUTOMATION, INC.**

Defendants.

Case No.: 2:17-cv-03342-ODW-GJS

Assigned for All Purposes to
Magistrate Judge Gail J. Standish

DISCOVERY MATTER: NON-PARTY SPACEX'S REPLY IN SUPPORT OF MOTION TO QUASH OR MODIFY PLAINTIFFS' SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION ON CAL/OSHA

Hearing Date: October 3, 2018
Time: 10:00 A.M.
Courtroom: 640

1 Pursuant to Federal Rule of Civil Procedure Rule 45, Non-Party SpaceX has
 2 moved to quash or modify Plaintiffs Ruben Juarez and Isela Hernandez's
 3 ("Plaintiffs") subpoena issued to Cal/OSHA on August 28, 2018 (the "Subpoena") for
 4 records pertaining to SpaceX. The Subpoena seeks confidential information involving
 5 SpaceX's employees and documents that are irrelevant to Plaintiffs' action against
 6 Precision Valve & Automation, Inc.

7 Plaintiffs' opposition to the motion to quash was due on September 12, 2018.
 8 Pursuant to Local Rule 7-9, Plaintiffs were required to submit a brief memorandum
 9 containing a statement of all reasons in opposition to the motion to quash.

10 As of September 19, 2018, Plaintiffs have not filed or served any opposition to
 11 SpaceX's motion to quash. "[F]ailure to file any required document, or the failure to
 12 file it within the deadline, may be deemed consent to the granting...of the motion."
 13 Local Rule 7-12; *see Domynique Denay Hardy et al. v. Gerber Products Company et*
al., 2018 WL 1162949, *1 (C.D. Cal. 2018) (granting discovery motion where
 14 plaintiff failed to file opposition). Accordingly, SpaceX requests that the Court
 15 consider the motion to quash to be unopposed and asks the Court to grant the motion
 16 and either quash the subpoena on Cal/OSHA or modify the subpoena to limit it to
 17 those records related to Plaintiffs, file number RID 0950635, and the PVA 350
 18 machine.

19
 20 Dated: September 19, 2018

FOX ROTHSCHILD LLP

21
 22 By /s/ Tiana Seymore
 23 Alexander Hernaez
 24 Tiana Seymore
 Attorneys for Third Party
 25 SPACEX